

REMARKS

For the reasons stated below, Applicant respectfully requests clarification relative to the Office action mailed on 29 April 2004 (Paper No. 20040426) in this application.

In paragraph 3 of the Office action, the Examiner rejects claim 4 under 35 U.S.C. §102 for alleged anticipation by Jain *et al.*, U.S. Patent No. 5,745,126. However, in paragraph 4 of the Office action, the Examiner rejects claim 3, from which claim 4 depends, under 35 U.S.C. §103 for alleged unpatentability over Jain *et al.* '126 in view of Lemons *et al.*, U.S. Patent No. 6,504,479. It is respectfully submitted that, since claim 3 is rejected under 35 U.S.C. §103, claim 4 which is dependent from claim 3 should be rejected under 35 U.S.C. §103 based on at least the same references cited against claim 3.

In the latter regard, it is also noted that, on page 4 of the Office action, it is stated that, as a basis for rejecting claim 4, "all the claimed subject matters are cited in respect to claim 3 above" (quoting from page 4 of the Office action). However, there is no basis for rejecting claim 3 or any analysis of claim 3 set forth "above" in the Office action. As indicated previously, the basis for rejection of claim 3 is set forth in paragraph 4 of the Office action in connection with a rejection under 35 U.S.C. §103 for alleged unpatentability over Jain *et al.* '126 and Lemons *et al.* '479. Clarification as to the rejection of claims 3 and 4 is therefore requested.

In addition, on page 4 of the Office action, with respect to the rejection of claim 8 under 35 U.S.C. §102 based on Jain *et al.* '126, the Examiner states that "all the claimed subject matters are cited in respect to claim 3 above" (quoting from page 4 of the Office action). However, it is noted that claim 8 is dependent from claim 2, which is dependent from claim 1, and thus the reference to claim 3 set forth as a basis for rejecting claim 8 is not understood. Clarification is requested.

Furthermore, on page 6 of the Office action, with respect to the basis for rejection of claim 14 under 35 U.S.C. §102 based on Jain *et al.* '126, the Examiner states that "all the claimed subject matters are cited in respect to claims 11 and 13 above" (quoting from page 6 of the Office action). However, it is noted that claim 14 is dependent from claim 11, which is dependent from claim 1. Thus, the reference to claim 13 is not understood, and clarification is requested.

On page 6 of the Office action, with respect to the rejection of claim 16 under 35 U.S.C. §102, the Examiner states that "all the claimed subject matters are cited in respect to claims 12 and 14 above" (quoting from page 6 of the Office action). However, it is noted that claim 16 is dependent from claim 14, which is dependent from claim 11, which is dependent from claim 1. Thus, the reference to claim 12 is not understood, and clarification is requested.

On page 6 of the Office action, with respect to the rejection of claim 21 under 35 U.S.C. §102, the Examiner states that "all the claimed subject matters are cited in respect to claims 1 and 12 above" (quoting from page 6 of the Office action). However, it is noted that claim 21 is dependent from claim 1, and thus, the reference to claim 12 is not understood, and clarification is requested.

In conclusion, it is requested that the Examiner provide clarification relative to the matters discussed above, and it is also requested that the period for responding to the Office action (Paper No. 20040426) be restarted as of the date of mailing of the clarifying communication.

If there are any questions, the Examiner is requested to telephone Applicant's attorney at the below listed local telephone number.

Respectfully submitted,



Robert E. Bushnell,
Attorney for the Applicant
Registration No.: 27,774

1522 "K" Street N.W., Suite 300
Washington, D.C. 20005
(202) 408-9040

Folio: P56635
Date: 6/18/04
I.D.: REB/JGS